

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
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 Plaintiff,)
)
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 vs.) No. CR-22-114-C
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ROBERT LEE HARRISON, JR.,)
)
)
 Defendant.)

O R D E R

Defendant has filed a Motion to Continue the trial of this case, presently set for the August 2022 trial docket, to the September 2022 trial docket. Defendant notes that Plaintiff does not object to the request. In support of the request, Defendant's counsel states additional time is needed to review the voluminous discovery materials received from Plaintiff. Counsel also notes the process of reviewing the material has been slowed due to counsel closing his office and beginning work for the United States Public Defender's Office.

After consideration of the Tenth Circuit's rulings in United States v. Toombs, 574 F.3d 1262 (10th Cir. 2009); United States v. Larson, 627 F.3d 1198 (10th Cir. 2010), and the parameters of the Speedy Trial Act, the Court finds that a continuance is in the interest of justice for the following reasons:

1. The continuance granted herein is brief and only marginally affects the time limits imposed by the Speedy Trial Act. Absent any excludable periods the speedy trial clock would expire July 6, 2022.

2. Due to the issues set forth above, the Court concludes that the current trial date does not permit adequate time for either party to effectively prepare for trial.

3. Defendant's right to have adequately prepared counsel at the trial of this matter outweighs any interest the public has in the trial occurring in August 2022 as opposed to September 2022. 18 U.S.C. § 3161(h)(7)(B)(iv).

Finally, the Court finds that additional time for the parties to prepare and present pretrial Motions is warranted. Thus, the deadline for pretrial Motions will be extended to August 25, 2022.

Accordingly, the Defendant's Third Unopposed Motion to Continue Jury Trial (Dkt. No. 23) is GRANTED. This matter shall be set on the Court's September 2022 trial docket. The time shall be excluded from the speedy trial clock. All pretrial motions shall be filed and served on or before August 25, 2022.

IT IS SO ORDERED this 2nd day of August 2022.



ROBIN J. CAUTHRON
United States District Judge